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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,575	11/16/2001	Johann Eibl	A34720-PCT-USA-A	7871

7590 12/16/2004
BAKER BOTTS L.L.P.
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

HANLEY, SUSAN MARIE

ART UNIT	PAPER NUMBER
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1651

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on July 11, 2004 is not fully responsive to the prior Office action because the claims are not in compliance with the revised amendment practice, 37 C.F.R. 1.121. When there is any amendment to a claim, there must be a listing of all claims ever presented. The text of withdrawn claims must be presented even if they are not amended. Claims must have the correct identifier. Claims 99-104 have the incorrect status identifier (withdrawn). This is incorrect because claims 99-104 were rejected in the Office action sent on 3/13/04. Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Susan Hanley
Patent Examiner
AU 1651


JEAN C. WITZ
PRIMARY EXAMINER